

SA 4708. Mr. WHITEHOUSE (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. ESTABLISHMENT OF AFGHAN WORKING GROUP AND AFGHAN THREAT FINANCE CELL.

(a) AFGHAN WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the President shall establish an interagency organization to be known as the “Afghan Working Group”.

(2) MISSION.—The mission of the Afghan Working Group shall be—

(A) to reduce the manufacture, sale, and distribution of illicit narcotics from Afghanistan;

(B) to identify, disrupt, and eliminate illicit financial networks in Afghanistan, particularly—

(i) such networks involved in narcotics trafficking, illicit financial transactions (including through the use of domestic and international professional money launderers), and official corruption; and

(ii) terrorist networks; and

(C) to promote the rule of law in Afghanistan.

(3) MEMBERSHIP.—The Afghan Working Group shall be convened by the Assistant to the President for National Security Affairs and consist of representatives from the following agencies:

(A) The Department of the Treasury.

(B) The Department of Justice.

(C) The Drug Enforcement Administration.

(D) The Department of State.

(E) The Department of Defense.

(F) The Federal Bureau of Investigation.

(G) The Internal Revenue Service.

(H) The Department of Homeland Security.

(I) The Defense Intelligence Agency.

(J) The Office of Foreign Assets Control of the Department of the Treasury.

(K) The Central Intelligence Agency.

(L) The Financial Crimes Enforcement Network of the Department of Treasury.

(M) The Bureau of International Narcotics Control and Law Enforcement Affairs.

(N) The Office of National Drug Control Policy.

(O) Any other law enforcement agency or element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) the Assistant to the President for National Security Affairs considers appropriate.

(4) COORDINATION.—The Afghan Working Group shall regularly coordinate and consult with regional anti-corruption bodies, financial intelligence units, the international Financial Action Task Force, and the Special Inspector General for Afghanistan Reconstruction.

(5) BRIEFINGS.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Afghan Working Group shall provide to the appropriate committees of Congress a briefing on the activities of the Afghan Working Group.

(B) ELEMENTS.—Each briefing under subparagraph (A) shall include the following:

(i) An assessment of the activities undertaken by, and the effectiveness of, the Afghan Working Group with respect to—

(I) reducing the manufacture, sale, and distribution of illicit narcotics from Afghanistan;

(II) identifying, disrupting, and eliminating illicit financial networks in Afghanistan, particularly—

(aa) such networks involved in narcotics trafficking, illicit financial transactions (including through the use of domestic and international professional money launderers), and official corruption; and

(bb) terrorist networks; and

(III) promoting the rule of law in Afghanistan.

(ii) Recommendations to Congress on legislative or regulatory improvements necessary to support the efforts described in subclauses (I) through (III) of clause (i).

(C) FORM.—A briefing under subparagraph (A) may be provided in classified form.

(b) AFGHAN THREAT FINANCE CELL.—

(1) ESTABLISHMENT.—Not later than 90 days after the date on which the Afghan Working Group is established, the Afghan Working Group shall establish an interagency organization to be known as the “Afghan Threat Finance Cell”.

(2) MISSION.—The mission of the Afghan Threat Finance Cell shall be to identify, disrupt, and eliminate illicit financial networks in Afghanistan, particularly—

(A) such networks involved in narcotics trafficking, illicit financial transactions (including through the use of domestic and international professional money launderers), and official corruption; and

(B) terrorist networks.

(3) LEAD AGENCIES.—The Department of the Treasury shall serve as the lead agency of the Afghan Threat Finance Cell, and the Drug Enforcement Administration and the Department of Defense shall serve as the co-deputy lead agencies of the Afghan Threat Finance Cell.

(4) COORDINATION.—The Afghan Threat Finance Cell shall regularly coordinate and consult with regional financial intelligence units, the international Financial Action Task Force, and the Special Inspector General for Afghanistan Reconstruction.

(5) BRIEFINGS.—

(A) REQUIREMENT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Afghan Threat Finance Cell shall provide to the appropriate committees of Congress a briefing on the activities of the Afghan Threat Finance Cell.

(B) ELEMENTS.—Each briefing under subparagraph (A) shall include the following:

(i) An assessment of the activities undertaken by, and the effectiveness of, the Afghan Threat Finance Cell in identifying, disrupting, and eliminating illicit financial networks in Afghanistan, particularly—

(I) such networks involved in narcotics trafficking, illicit financial transactions, (including through the use of domestic and international professional money launderers), and official corruption; and

(II) terrorist networks.

(ii) Recommendations to Congress on legislative or regulatory improvements necessary to support the identification, disruption, and elimination of illicit financial networks in Afghanistan.

(C) FORM.—A briefing under subparagraph (A) may be provided in classified form.

(c) TERMINATION.—

(1) IN GENERAL.—Subject to paragraph (2), the Afghan Working Group and the Afghan Threat Finance Cell shall terminate on the date that is three years after the date of the enactment of this Act.

(2) EXTENSION.—The President may extend the termination date under paragraph (1) for

the Afghan Working Group, the Afghan Threat Finance Cell, or both, as necessary.

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) The Committee on Banking, Housing, and Urban Affairs, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Committee on Armed Services of the Senate, and the Senate Caucus on International Narcotics Control; and

(2) The Committee on Financial Services, the Committee on Oversight and Reform, the Committee on the Judiciary, and the Committee on Armed Services of the House of Representatives.

SA 4709. Mr. VAN HOLLEN (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Foreign Service Families Act of 2021

SECTION 1071. SHORT TITLE.

This subtitle may be cited as the “Foreign Service Families Act of 2021”.

SEC. 1072. TELECOMMUTING OPPORTUNITIES.

(a) DETO POLICY.—

(1) IN GENERAL.—Each Federal department and agency shall establish a policy enumerating the circumstances under which employees may be permitted to temporarily perform work requirements and duties from approved overseas locations where there is a related Foreign Service assignment pursuant to an approved Domestically Employed Teleworking Overseas (DETO) agreement.

(2) PARTICIPATION.—The policy described under paragraph (1) shall—

(A) ensure that telework does not diminish employee performance or agency operations;

(B) require a written agreement that—

(i) is entered into between an agency manager and an employee authorized to telework, that outlines the specific work arrangement that is agreed to; and

(ii) is mandatory in order for any employee to participate in telework;

(C) provide that an employee may not be authorized to telework if the performance of that employee does not comply with the terms of the written agreement between the agency manager and that employee;

(D) except in emergency situations as determined by the head of an agency, not apply to any employee of the agency whose official duties require on at least a monthly basis—

(i) direct handling of secure materials determined to be inappropriate for telework by the agency head; or

(ii) on-site activity that cannot be handled remotely or at an alternate worksite;

(E) be incorporated as part of the continuity of operations plans of the agency in the event of an emergency; and

(F) enumerate the circumstances under which employees may be permitted to temporarily perform work requirements and duties from approved overseas locations.

(b) ACCESS TO ICASS SYSTEM.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall revise chapter 900 of volume 6 of the Foreign

Affairs Manual, the International Cooperative Administrative Support Services Handbook, the Personnel Operations Handbook, and any other relevant regulations to allow each Federal agency that has enacted a policy under subsection (a) to have access to the International Cooperative Administrative Support Services (ICASS) system.

SEC. 1073. EMPLOYMENT AND EDUCATION PROGRAMS FOR ELIGIBLE FAMILY MEMBERS OF MEMBERS OF THE FOREIGN SERVICE.

Section 706(b) of the Foreign Service Act of 1980 (22 U.S.C. 4026(b)) is amended—

(1) in paragraph (1)—

(A) by striking “The Secretary may facilitate the employment of spouses of members of the Foreign Service by—” and inserting “The Secretary shall implement such measures as the Secretary considers necessary to facilitate the employment of spouses and members of the Service. The measures may include—”; and

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by amending subparagraph (C) to read as follows:

“(C) establishing a program for assisting eligible family members in accessing employment and education opportunities, as appropriate, including by exercising the authorities, in relevant part, under sections 1784 and 1784a of title 10, United States Code, and subject to such regulations as the Secretary may prescribe modeled after those prescribed pursuant to subsection (b) of such section 1784;”;

(2) by redesignating paragraph (2) as paragraph (6);

(3) by inserting after paragraph (1) the following new paragraphs:

“(2) The Secretary may prescribe regulations—

“(A) to provide preference to eligible family members in hiring for any civilian position in the Department, notwithstanding the prohibition on marital discrimination found in 5 U.S.C. 2302(b)(1)(E), if—

“(i) the eligible family member is among persons determined to be best qualified for the position; and

“(ii) the position is located in the overseas country of assignment of their sponsoring employee;

“(B) to ensure that notice of any vacant position in the Department is provided in a manner reasonably designed to reach eligible family members of sponsoring employees whose permanent duty stations are in the same country as that in which the position is located; and

“(C) to ensure that an eligible family member who applies for a vacant position in the Department shall, to the extent practicable, be considered for any such position located in the same country as the permanent duty station of their sponsoring employee.

“(3) Nothing in this section may be construed to provide an eligible family member with entitlement or preference in hiring over an individual who is preference eligible.

“(4) Under regulations prescribed by the Secretary, a chief of mission may, consistent with all applicable laws and regulations pertaining to the ICASS system, make available to an eligible family member and a non-Department entity space in an embassy or consulate for the purpose of the non-Department entity providing employment-related training for eligible family members.

“(5) The Secretary may work with the Director of the Office of Personnel Management and the heads of other Federal departments and agencies to expand and facilitate the use of existing Federal programs and resources in support of eligible family member employment.”; and

(4) by adding after paragraph (6), as redesignated by paragraph (2) of this subsection, the following new paragraph:

“(7) In this subsection, the term ‘eligible family member’ refers to family members of government employees assigned abroad or hired for service at their post of residence who are appointed by the Secretary of State or the Administrator of the United States Agency for International Development pursuant to sections 102, 202, 303, and 311.”.

SEC. 1074. BRIEFING ON FOREIGN SERVICE FAMILY RESERVE CORPS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on the status of implementation of the Foreign Service Family Reserve Corps.

(b) ELEMENTS.—The briefing required under subsection (a) shall include the following elements:

(1) A description of the status of implementation of the Foreign Service Family Reserve Corps (FSFRC).

(2) An assessment of the extent to which implementation was impacted by the Department’s hiring freeze and a detailed explanation of the effect of any such impacts.

(3) A description of the status of implementation of a hiring preference for the FSFRC.

(4) A detailed accounting of any individuals eligible for membership in the FSFRC who were unable to begin working at a new location as a result of being unable to transfer their security clearance, including an assessment of whether they would have been able to port their clearance as a member of the FSFRC if the program had been fully implemented.

(5) An estimate of the number of individuals who are eligible to join the FSFRC worldwide and the categories, as detailed in the Under Secretary for Management’s guidance dated May 3, 2016, under which those individuals would enroll.

(6) An estimate of the number of individuals who are enrolled in the FSFRC worldwide and the categories, as detailed in the Under Secretary for Management’s guidance dated May 3, 2016, under which those individuals enrolled.

(7) An estimate of the number of individuals who were enrolled in each phase of the implementation of the FSFRC as detailed in guidance issued by the Under Secretary for Management.

(8) An estimate of the number of individuals enrolled in the FSFRC who have successfully transferred a security clearance to a new post since implementation of the program began.

(9) An estimate of the number of individuals enrolled in the FSFRC who have been unable to successfully transfer a security clearance to a new post since implementation of the program began.

(10) An estimate of the number of individuals who have declined in writing to apply to the FSFRC.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 1075. TREATMENT OF FAMILY MEMBERS SEEKING POSITIONS CUSTOMARILY FILLED BY FOREIGN SERVICE OFFICERS OR FOREIGN NATIONAL EMPLOYEES.

Section 311 of the Foreign Service Act of 1980 (22 U.S.C. 3951) is amended by adding at the end the following:

“(e) The Secretary shall hold a family member of a government employee described in subsection (a) seeking employment in a position described in that subsection to the same employment standards as those applicable to Foreign Service officers, Foreign Service personnel, or foreign national employees seeking the same or a substantially similar position.”.

SEC. 1076. IN-STATE TUITION RATES FOR MEMBERS OF QUALIFYING FEDERAL SERVICE.

(a) IN GENERAL.—Section 135 of the Higher Education Act of 1965 (20 U.S.C. 1015d) is amended—

(1) in the section heading, by striking “**THE ARMED FORCES ON ACTIVE DUTY, SPOUSES, AND DEPENDENT CHILDREN**” and inserting “**QUALIFYING FEDERAL SERVICE**”;;

(2) in subsection (a), by striking “member of the armed forces who is on active duty for a period of more than 30 days and” and inserting “member of a qualifying Federal service”;;

(3) in subsection (b), by striking “member of the armed forces” and inserting “member of a qualifying Federal service”; and

(4) by striking subsection (d) and inserting the following:

“(d) DEFINITIONS.—In this section, the term ‘member of a qualifying Federal service’ means—

“(1) a member of the armed forces (as defined in section 101 of title 10, United States Code) who is on active duty for a period of more than 30 days (as defined in section 101 of title 10, United States Code); or

“(2) a member of the Foreign Service (as defined in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903)) who is on active duty for a period of more than 30 days.”.

(b) EFFECTIVE DATE.—The amendments made under subsection (a) shall take effect at each public institution of higher education in a State that receives assistance under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) for the first period of enrollment at such institution that begins after July 1, 2023.

SEC. 1077. TERMINATION OF RESIDENTIAL OR MOTOR VEHICLE LEASES AND TELEPHONE SERVICE CONTRACTS FOR CERTAIN MEMBERS OF THE FOREIGN SERVICE.

(a) IN GENERAL.—Chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:

“SEC. 907. TERMINATION OF RESIDENTIAL OR MOTOR VEHICLE LEASES AND TELEPHONE SERVICE CONTRACTS.

“The terms governing the termination of residential or motor vehicle leases and telephone service contracts described in sections 305 and 305A, respectively, of the Servicemembers Civil Relief Act (50 U.S.C. 3955 and 3956) with respect to servicemembers who receive military orders described in such Act shall apply in the same manner and to the same extent to members of the Service who are posted abroad at a Foreign Service post in accordance with this Act.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of the Foreign Service Act of 1980 is amended by inserting after the item relating to section 906 the following new item:

“Sec. 907. Termination of residential or motor vehicle leases and telephone service contracts.”.

SA 4710. Mr. CASSIDY (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to